

TERRY HARRINGTON, individually )  
and in his capacity as the father of )  
NICOLE ANTOINETTE HARRINGTON, ) Civil Nos. 4-05-CV-00178-RP-TJS  
)  
) 05-CV-00255  
Plaintiff, ) 03-CV-90616  
)  
)  
vs. )  
)  
)  
COUNTY OF POTTAWATTAMIE, ) **PLAINTIFF’S MOTION FOR**  
IOWA, ) **SCHEDULING CONFERENCE TO**  
CITY OF COUNCIL BLUFFS, IOWA, ) **SET TRIAL DATE**  
DAVID RICHTER, in his individual and )  
official capacities, )  
JOSEPH HRVOL, in his individual and )  
official capacities, )  
DANIEL C. LARSEN, in his individual )  
and official capacities, )  
LYLE W. BROWN, in his individual and )  
and official capacities, and )  
JOHN DOES ONE THROUGH NINE, )  
in their individual and official )  
capacities, )  
)  
)  
Defendants. )

Comes now Plaintiff, Terry Harrington, by and through counsel, and hereby moves this Court to set a date for a Scheduling Conference to Set Trial Date due to the fact that on December 19, 2008, the United States Court of Appeals for the Eighth Circuit issued its Mandate regarding its November 21, 2008 Opinion and Judgment affirming in part, and reversing in part, the decision of the United States District Court for the District of Iowa.

WHEREFORE, plaintiffs respectfully request a scheduling conference with Judge Pratt to set a trial date at the earliest possible time to resolve the claims of plaintiffs in all matters allowed by the November 21, 2008 ruling of the United States Court of Appeals for the Eighth Circuit.

DATED this 19<sup>th</sup> day of December, 2008.

Respectfully submitted,

s/ Mel C. Orchard, III  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of December, 2008 a true and correct copy of the foregoing **JOINT MOTION FOR SCHEDULING CONFERENCE AND TRIAL DATE** was served upon counsel named below, at the addresses set out below by CM/ECF electronic filing.

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